

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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|-------------------------------|---|----------------------------|
| A Metal Source, LLC, |) | Case No. 1:14-CV-01020-DAP |
| |) | |
| Plaintiff, |) | Judge Dan A. Polster |
| |) | |
| vs. |) | |
| |) | |
| All Metal Sales, Inc. et al., |) | |
| |) | |
| Defendants. |) | |

Defendants' Motion to Dismiss Under Rule 12(b)(6)

In accordance with Rule 12(b)(6) of the Federal Rules of Civil Procedure, defendants All Metal Sales, Inc. and Thomas G. Klocker move to dismiss with prejudice the complaint of plaintiff A Metal Source, LLC as barred by res judicata. The reasons for granting this motion are more fully explained in the attached memorandum, which is incorporated here by reference.

Dated: July 21, 2014

s/ Matthew J. Cavanagh
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Certificate of Service

I hereby certify that on July 21, 2014, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt, and parties may access this filing through the Court's system.

s/ Matthew J. Cavanagh
Counsel for
All Metal Sales, Inc. and Thomas G. Klocker